

COPY  
36

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

CHARLES E. BROWN,


Plaintiff

vs.

COUNTY OF SCHUYLKILL,  
SCHUYLKILL COUNTY PRISON  
SCHUYLKILL COUNTY PRISON  
BOARD MEMBERS,  
FRANCIS V. McANDREW,  
FORREST L. SHADLE,  
JEROME P. KNOWLES,  
STANLEY H. TOBASH,  
DAVID J. KURTZ,  
GERALD BRITTON,  
EUGENE BERDANIER,  
WILLIAM E. BALDWIN,  
and ANTHONY KANKOWSKI,

Defendants

Civil Action No. 1:CV-00-1224

FILED  
SCRANTON  
SEP 11 2001  
PER  DEPUTY CLERK

**AFFIDAVIT OF EUGENE BERDANIER**  
**IN SUPPORT OF MOTION OF DEFENDANTS,**  
**COUNTY OF SCHUYLKILL, ET AL., TO DISMISS THE COMPLAINT**  
**OR, IN THE ALTERNATIVE, FOR SUMMARY JUDGMENT**

COMMONWEALTH OF PENNSYLVANIA:

: SS.

COUNTY OF SCHUYLKILL

:

Eugene Berdanier, being duly sworn according to law, deposes and says that:

1. He is the current appointed and acting Deputy Warden of Schuylkill County Prison.
2. He has been employed by the Schuylkill County Prison since September 2, 1986, and was promoted to supervisor on May 27, 1992, Deputy Warden on

August 4, 1997, and acting Warden as of April 1, 1999, and Deputy Warden upon the appointment of the current Warden, Gerald Britton, as of July 25, 1999.

3. His duties as Deputy Warden involve maintaining prison records, computing sentences, coordinating hearings with district justices and the Court and working under the supervision of the Warden.

4. A true correct copy of the Grievance Procedure set forth in the Schuylkill County Prison Resident Rules and Regulations, given to each resident, a true and correct copy of which is attached hereto as Exhibit "A".

5. A review of plaintiff's prison file reveals no grievance relative to the prison conditions subject to this action or to any of the allegations as averred in the Complaint.

6. With regard to the specific prison conditions, as alleged, Affiant avers as follows:

(a) The entire prison has undergone a cleaning and painting process. All tables and floors are cleaned at least three times a day. Each resident is responsible for the cleanliness of his own cell.

(b) With regard to the allegation of sleeping on a mattress, plaintiff affirmatively chose a mattress as opposed to a cot. A true and correct copy of plaintiff's selection form is attached hereto as Exhibit "B".

(c) With regard to the allegations as to bugs, a professional exterminator, J.C. Erlich Company, is contacted for pest control, and on July 19, 2000, all blocks were evacuated and extensive treatment was done in each cell plus the day room and shower area and J.C. Erlich Company is on a regular schedule for pest control. A true and correct copy of the Agreement with J.C. Erlich and invoices submitted are attached hereto as Exhibit "C".

(d) With regard to plaintiff's allegations of disciplinary confinement and denial of disciplinary yard time, plaintiff's prison file reveals that plaintiff was provided with numerous disciplinary hearings

relative to this violations of prison rules and regulations, copies of which are attached hereto. A true and correct copy of conduct complaints and disciplinary hearing findings contained in plaintiff's prison file are attached hereto and marked Exhibit "D".

7. Gerald Britton, named as a defendant herein, is the current Warden of Schuylkill County Prison having assumed duties upon his appointment on July 25, 1999. Accordingly, Warden Britton would have no knowledge and no involvement in the Schuylkill County Prison prior to July 25, 1999.

8. David Kurtz, identified as a defendant herein, is the former Warden of Schuylkill County Prison, having served in that capacity until his resignation on April 9, 1999. Accordingly, former Warden Kurtz had no involvement or responsibility at the prison subsequent to April 9, 1999.

9. Plaintiff is no longer incarcerated at the Schuylkill County Prison and was transferred to the State Correctional System on August 15, 2000. According to the Summons filed in this case, plaintiff's current address is Mr. Charles E. Brown, SCI-CH, EJ6142, P.O. Box 200, Camp Hill, Pa., 17001.

Eugene Berdanier  
Eugene Berdanier

Sworn and subscribed to before :

me, a Notary Public, this 7<sup>th</sup> :

day of March, 2001. :

[Signature]  
NOTARY PUBLIC

SEAL OF THE CLERK OF COURT  
Stephen M. Lukach, Jr.  
Pottsville, Schuylkill County, Pa.  
My Commission Expires 1st Monday of 2004



**SCHUYLKILL  
COUNTY  
PRISON**



**RESIDENT**

**RULES AND REGULATIONS**

**POTTSVILLE, PENNSYLVANIA 17901**

**REVISED: 1/25/96**

## 9. Communication and Grievance Procedure

A. The following procedures have been established to insure that all inmates have the opportunity for formal communication with members of the Prison Administration.

B. All communications of an official nature are to be submitted in accordance with the guidelines listed below.

C. The Prison Administration encourages meaningful communication and will not tolerate communication of an obscene, disrespectful, threatening, frivolous or harassing nature. Such behavior will result in your being written up for a misconduct and/or criminal prosecution where appropriate.

D. **Resolving routine problems:** You are directed to follow these steps in resolving routine problems:

- a. consult with the officer supervising your housing unit or work detail.
- b. consult with the Supervisor.
- c. request permission for an Inmate Request Form.

E. **Emergency Communication:** Routine procedures are suspended for emergency purposes. In such cases, consult the nearest staff member available.

### F. Routine Communication:

Inmate Request Form: This form alerts the staff member to whom it is directed that you wish to consult him/her on a specific matter.

You are required to state the nature of your request and all relevant information.

The form provides for the staff member's written response which will be forwarded to you in the event an interview with the staff member is not necessary.

G. **Grievance Procedure:** This can be handled by requesting an Inmate Request Form and send it out to the appropriate member of staff.

Note: Appeals to disciplinary actions must be in writing to the Warden.

## 10. Visiting Procedures

Visiting privileges are granted to all inmates in accordance with the regulations established below:

### A. Visitation Types:

— Professional visits — Visits by clergy, attorneys, law

enforcement professionals, etc. are permitted during the week (Monday-Friday) between 8 AM — 4 PM.

— Family visits — Family or friends can visit on the inmates designated day. Each visit is 30 minutes. The inmate can contact anyone wishing to visit and inform them of what day his/her visiting is allowed.

### B. General Provisions:

— All visitors must be 18 years of age or older, except for inmates immediate children. Children must be supervised by an adult.

— Visitors on parole or probation or out on bail are forbidden to visit unless prior approval has been given by Warden or Deputy Warden.

— Inmates are not permitted to take any articles to or from the visiting area. Any articles to be sent out must be taken care of the morning of visiting during the week.

— Visitors may bring only items approved on list posted. If any questions, they are to ask the Correctional Officer.

— Visitors may be required to produce some form of valid identification and are required to register prior to visit.

— Visits are to be conducted so as not to disturb others in the area. Loud, boisterous, profane, and/or obscene conduct will not be tolerated.

— Visitors are subject to full search procedure at all times while on Prison property. This includes vehicles and packages.

— Visitors are subject to all laws and regulations regarding contraband, escape and general conduct. Serious violations may result in criminal prosecution and/or restriction of visiting status. Indications of criminal activity will result in the visitor being detained on premises pending arrival of police.

— Visitors will not be admitted if, in the opinion of prison staff, they are intoxicated, under the influence of drugs or their presence disrupts visiting procedure.

— Normal visitation procedures may be suspended indefinitely during any state of emergency.

## 11. Financial Accounts

A. Upon your arrival, any cash in your possession will be maintained in a Prison Account. Negotiable instruments, checks, credit cards, etc. will be maintained with your personal effects or locked up out front in office. **You are not permitted**



Bg#65

B/m

203-60-2713

BLOCK REPORT  
SCHUYLKILL COUNTY PRISON  
POTTSVILLE, PENNSYLVANIA  
17901

DATE: 10/18/00 TIME: 12:25 p.m. CELL NO: E-17

RESIDENT: Brown, Charlie

ADDRESS: 2146 Green St.

DOB: 10/14/80 HT: 5' 8" WT: 170 EYES: brn HAIR:

SEARCHED: 10/18/00 BY: Kaw

SCARS, MARKS, TATTOOS, ETC:

NONE

FINGER-PRINTED: PHOTO-GRAPHED:

FINGER-PRINTED, PHOTO-GRAPHED, AND I. D. BY:

COMMENTS/REMARKS:

SHOWER: LINEN: 1 HAND-BOOK: PHONE CALL:

PUBLIC DEFENDER APPLICATION: UNIFORMS: 1

(48) HOUR ISOLATION DATE COMPLETED: NO 48

SUPERVISOR/ DESK - SIGNATURE: St. Mark J. [Signature]  
OFFICER

I, Charles Brown, AN UNSENTENCED RESIDENT OF THE SCHUYLKILL COUNTY PRISON, DO HEREBY VOLUNTEER TO PARTICIPATE IN ASSIGNED WORK DETAILS OR BE ISOLATED FROM THE POPULATION.

10-24-00 Released S. L. ICH





OFFICE OF

# THE SCHUYLKILL COUNTY PRISON

DAVID J. KURTZ, Warden

PHILADELPHIA, PA.  
19101

19

## TEMPORARY HOUSING

### INMATE'S REQUEST FORM

UPON ENTERING POPULATION I, Brown, Charlie

REQUEST TO HAVE:

Q ✓ MATTRESS

- COT

✓ Cup + Eating Utensil

NAME: X Charles Brown

DATE: 10/18/00

F-BLK-SHW.-CLN. 11-19-99

Bag #35.

B/m

SS# 203-60-2713

## BLOCK REPORT

SCHUYLKILL COUNTY PRISON

POTTSVILLE, PENNSYLVANIA

17901

F-12 U1-12-98

~~F-18 (8-19-98)~~

A-24

E-14

DATE: 1-19-98 TIME: 12:35 P.M. CELL NO: E-14RESIDENT: BROWN, CHARLES, FADDRESS: 2146 GREEN ST HARRISBURG PA 17104DOB: 10-14-80 HT: 5'5" WT: 160 EYES: BRO HAIR: BLKSEARCHED: Strip BY: o/o AndrucekSCARS, MARKS, TATTOOS, ETC: two bullet holes right shoulderFINGER-PRINTED: 12-2-96 PHOTO-GRAPHED: 12-2-96FINGER-PRINTED, PHOTO-GRAPHED, AND I. D. BY: o/o Hubiak

COMMENTS/REMARKS: Attempt to commit a crime - engage in a conspiracy to commit a crime  
 prohibit offensive weapons - simple assault - aggravated assault - recklessly endangering  
 another person - criminal mischief receiving stolen property - resisting arrest  
 firearms not to be carried without a license Bail \$ 150,000

SHOWER: ✓ LINEN: ✓ HAND-BOOK: ✓ PHONE CALL: ✓PUBLIC DEFENDER APPLICATION: ✓ UNIFORMS: ✓(48) HOUR ISOLATION DATE COMPLETED: 1-21-98 12:35 P.M.SUPERVISOR/ DESK - SIGNATURE: o/o Andrew Boh  
OFFICER

I, X Charles E Brown, AN UNSENTENCED RESIDENT OF THE SCHUYLKILL  
 COUNTY PRISON, DO HEREBY VOLUNTEER TO PARTICIPATE IN ASSIGNED WORK DETAILS  
 OR BE ISOLATED FROM THE POPULATION. \* <sup>1-5-99</sup> KEEP SEPERATE FROM MARSHALL, D C/BL



OFFICE OF  
THE SCHUYLKILL COUNTY PRISON

DAVID J. KURTZ, *Warden*

POITSVILLE, PA.  
17901

. 1998

## TEMPORARY HOUSING

## INMATE'S REQUEST FORM

UPON ENTERING POPULATION I, Brown, C.

REQUEST TO HAVE:

✓ MATTRESS

COT

NAME: Charles Brown

DATE: 1-21-98



OFFICE OF

# THE SCHUYLKILL COUNTY PRISON

DAVID J. KURTZ, Warden

PHILADELPHIA, PA.  
19101

19

## TEMPORARY HOUSING

### INMATE'S REQUEST FORM

UPON ENTERING POPULATION I, BROWN CHARLES

REQUEST TO HAVE:

☒ MATTRESS

☒ COT  
cup + Eating Utensil

NAME: X Charles Brown

DATE: 11-17-99



03/07/2001 11:19

570-628-1934

JC EHRLICH COMPANY

PAGE 02

## Pest Control Service Agreement

P.O. BOX 689  
408 SOUTH C.A. LORD BLVD.  
POTTSVILLE, PA 17901-3963  
717-622-3760 FAX # 717-622-3785

# Ehrlich

 Since 1928

228211

Tremont 885-2428 Shenandoah 482-2792  
Lehighton 377-4638 Freckville 874-4988  
Tamaque 886-1133 Elizabethtown 362-8861

INVOICE TO Schuylkill County Prison DATE March 7 % 2001ADDRESS 230 Sanderson StreetCITY Pottsville, PA 17901 PHONE ( 570 ) 628-1450  
ZIP CODE AREA CODE

ATTN: (IF NECESSARY) \_\_\_\_\_

JOB LOCATION \_\_\_\_\_ PHONE ( ) AREA CODE \_\_\_\_\_

SERVICE TO BE RENDERED FOR CONTROL OF \_\_\_\_\_ ZIP CODE \_\_\_\_\_

## SPECIAL INSTRUCTIONS AND AREAS TO BE SERVICED

Treat kitchen, staff dining room, storage area, and vending area  
inside the main entrance. Treat control rooms only on request.

YOU, THE BUYER, MAY CANCEL THIS TRANSACTION AT ANY TIME PRIOR TO MIDNIGHT OF THE THIRD BUSINESS DAY AFTER THE DATE OF THIS TRANSACTION.

MONTHLY SERVICES @ \$ 40.00 SALES TAX PER MONTH \_\_\_\_\_ (ANNUALLY)

SERVICE FOR \_\_\_\_\_ DEODORIZER UNITS @ \$ \_\_\_\_\_ PER MONTH \_\_\_\_\_ (ANNUALLY)

BEGINNING \_\_\_\_\_ CHARGE FOR INITIAL SERVICES \$ \_\_\_\_\_

BILLING: \_\_\_\_\_ SERVICE FREQUENCY: \_\_\_\_\_ BUDGET NO. \_\_\_\_\_

MONTHLY \_\_\_\_\_ ONCE PER MONTH \_\_\_\_\_  
QUARTERLY (IN ADVANCE) \_\_\_\_\_ ☒ TWICE PER MONTH \_\_\_\_\_ TOTAL \$ \_\_\_\_\_ SALES TAX \_\_\_\_\_

☒ SEMIANNUAL (IN ADVANCE) 2% DISCOUNT \_\_\_\_\_ WEEKLY \_\_\_\_\_  
ANNUALLY (IN ADVANCE) 3% DISCOUNT \_\_\_\_\_ OTHER \_\_\_\_\_  
C.O.D. \_\_\_\_\_ CHARGE \_\_\_\_\_ (SEE SPECIAL INSTRUCTIONS) PAID ON ACCOUNT \$ \_\_\_\_\_ BALANCE \$ \_\_\_\_\_ SALES TAX \_\_\_\_\_

IN THE EVENT FULL PAYMENT IS NOT MADE WITHIN 30 DAYS AFTER INVOICING A FINANCE CHARGE WILL BE ADDED TO THE UNPAID BALANCE. IF A FINANCE CHARGE APPEARS ON THE STATEMENT, IT WAS COMPUTED BY A PERIODIC RATE OF 1 1/2% PER MONTH WHICH IS AN ANNUAL PERCENTAGE RATE OF 18% ADDED TO THE PREVIOUS BALANCE AFTER DEDUCTING CURRENT PAYMENTS, AND/OR CREDITS APPEARING ON THE STATEMENT. EXCEPT THAT A MINIMUM LATE CHARGE OF \$1.00 MAY BE IMPOSED.

J. C. EHRLICH Co., Inc.

## ACCEPTANCE OF AGREEMENT

THE ABOVE QUOTATIONS ARE HEREBY ACCEPTED BASED ON THE TERMS AND CONDITIONS AS FOUND ON THE REVERSE SIDE

REPRESENTATIVE

CUSTOMER

## FOR OFFICE USE ONLY

DISTRICT OFFICE 2-Pottsville  
SERVICE TECH 530 BILLING CLASS \_\_\_\_\_

DATA PROCESSING  
1002765-01

ACCOUNT NUMBER

## Pest Control Service Agreement

P. O. BOX 689  
408 SOUTH C.A. LORD BLVD.  
POTTSVILLE, PA 17901-3963  
717-622-3760 FAX # 717-622-3785

Tremont 895-2428 Shenandoah 462-3782  
Lehighton 377-4638 Frackville 874-4668  
Tamaqua 868-1133 Elizabethtown 362-8861

# Ehrlich

 Since 1928

228406

SIC 9223

INVOICE TO Schuylkill County Prison DATE July 13, 2000ADDRESS 230 Sanderson StreetCITY Pottsville, PA 17901 PHONE (570) 628-1450  
ZIP CODE AREA CODE

ATTN: (IF NECESSARY) \_\_\_\_\_

JOB LOCATION \_\_\_\_\_ PHONE ( ) \_\_\_\_\_  
AREA CODE

SERVICE TO BE RENDERED FOR CONTROL OF: \_\_\_\_\_ ZIP CODE

Ants and Roaches

SPECIAL INSTRUCTIONS AND AREAS TO BE SERVICED

Areas to be treated monthly include the medical cells, holding cells  
and property room. Cell blocks will be treated three times a year on  
a rotating basis ([A & B], [C], [D & E], [F]). The boiler room,  
tunnel system, work release area and additional areas will be treated  
as needed.

YOU, THE BUYER, MAY CANCEL THIS TRANSACTION AT ANY TIME PRIOR TO MIDNIGHT OF THE THIRD BUSINESS DAY AFTER  
THE DATE OF THIS TRANSACTION.

MONTHLY SERVICES @ - \$ 110.00 + SALES TAX PER MONTH \$ \_\_\_\_\_ + SALES TAX  
(ANNUALLY)

SERVICE FOR \_\_\_\_\_ DEODORIZER UNITS @ - \$ \_\_\_\_\_ PER MONTH \$ \_\_\_\_\_ + SALES TAX  
(ANNUALLY)

BEGINNING July 2000

CHARGE FOR INITIAL SERVICES \$ \_\_\_\_\_

## BILLING:

☒ MONTHLY  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
C.O.D. ☒ CHARGE

## SERVICE FREQUENCY:

☒ ONCE PER MONTH  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
OTHER  
(SEE SPECIAL INSTRUCTIONS)

SUNDRY NO. \_\_\_\_\_

TOTAL \$ \_\_\_\_\_ + SALES TAX

PAID ON ACCOUNT \$ \_\_\_\_\_

BALANCE \$ \_\_\_\_\_ + SALES TAX

IN THE EVENT FULL PAYMENT IS NOT MADE WITHIN 30 DAYS AFTER INVOICING A FINANCE CHARGE WILL BE ADDED TO THE UNPAID  
BALANCE. IF A FINANCE CHARGE APPEARS ON THE STATEMENT, IT WAS COMPUTED BY A PERIODIC RATE OF 1 1/4% PER MONTH WHICH  
IS AN ANNUAL PERCENTAGE RATE OF 18% ADDED TO THE PREVIOUS BALANCE AFTER DEDUCTING CURRENT PAYMENTS, AND/OR  
CREDITS APPEARING ON THE STATEMENT. EXCEPT THAT A MINIMUM LATE CHARGE OF \$1.00 MAY BE IMPOSED.

J. C. EHRLICH Co., Inc.

## ACCEPTANCE OF AGREEMENT

THE ABOVE QUOTATIONS ARE HEREBY ACCEPTED BASED ON THE TERMS AND  
CONDITIONS AS FOUND ON THE REVERSE SIDE

*[Signature]*  
REPRESENTATIVE

*[Signature]*  
CUSTOMER

## FOR OFFICE USE ONLY

DISTRICT OFFICE

DATA PROCESSING

SERVICE TECH. \_\_\_\_\_ BILLING CLASS \_\_\_\_\_

ACCOUNT NUMBER \_\_\_\_\_

ALL-STATE® LEGAL 800-222-0510 ED11 RECYCLED





## SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

RESIDENT CHARLES BROWN  
PRISON NO. 77-11-6CASE NO: 1657  
TIME: 1:15  
DATE: 2/20/97

## RESULTS OF HEARING:

BOARD: SUP. BERDANIER, COUNSELOR KRZJAK  
CHAIRMAN: W/R ROY EILER

C/O FALESKI: READ CONDUCT REPORT TO BOARD &amp; RES. BROWN.

EILER: IS THE REPORT TRUE AS STATED?

FALESKI: YES.

EILER: HOW DO YOU (BROWN) PLEAD?

BROWN: NOT GUILTY.

EILER: DO YOU HAVE ANYTHING TO SAY?

BROWN: WE WERE ONLY WRESTLING, WE WEREN'T FIGHTING.

EILER: DOES THE BOARD HAVE ANY QUESTIONS?

BERDANIER: YOU SAY "WE WEREN'T WRESTLING", BUT YOU CAME FROM BEHIND.

BROWN: YEA, BUT WE WEREN'T FIGHTING.

BERDANIER: HAVE DEVLIN BROUGHT UP AS A WITNESS.

C/O DEVLIN: I WAS COMING DOWN FROM THE TIER AND BROWN &amp; RATLIFF WERE HORSEPLAYING BUT THEN IT TURNED INTO A FIGHT. I KNOW A FIGHT WHEN I SEE A FIGHT.

FINDING: ☒ GUILTY ☐ NOT GUILTYDISPOSITION: GUILTY TO #13 - 10 DAYS. #16 - 20 DAYS ON "ASSAULT" SECTION  
TOTAL 30 DAYS. CREDIT FOR TIME SERVED. 1 HR YARD TIME 5 DAYS A WEEK.  
REVIEWED EVERY 5 DAYS. AN APPEAL MAYBE MADE IN WRITING TO THE WARDEN  
WITHIN 30 DAYS.  
#12 DISMISSED.

## ATTENDED HEARING:

1. Roy J. Eiler

2. Matthew G. [Signature]

3. Supv. E.H. Berdanier

4.

David J. Keefe

WARDEN'S SIGNATURE

## SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

CASE NO: 1657CONDUCT COMPLAINTRESIDENT BROWN, CHARLES DATE 2-17-97TIME APPROX. 11:20 AM TIME AND DATE  
OF HEARING 1030 20 Feb 97

INCIDENT: ON THE ABOVE DATE + TIME WHILE THIS C/O WAS ON DUTY IN B/CR, I WITNESSED RES BROWN, C (FROM F-23) SHOVE RES RATLIFF, C. (F-25) FROM BEHIND AND PUSH HIM INTO CELL F-16. RES RATLIFF ALMOST FELL AND CAME OUT AND THEY GRABBED EACH OTHER. RES RATLIFF PINNED RES BROWN TO THE FLOOR BUT DID NOT HIT HIM. C/O DEVLIN ARRIVED AT THE SCENE AND THEY BROKE IT UP.

CLASS I MISCONDUCT

- # 12 RIOTING OR INCITING TO RIOT
- # 13 CONSPIRACY TO ESCAPE, RIOT OR DISRUPT NORMAL INSTITUTION ROUTINE THAT COULD RESULT IN BODILY INJURY TO PERSONNEL OR INMATES
- # 16 ASSAULTS AND FIGHTING

COMPLAINING OFFICER

C/O R. Falch

RESIDENT WITNESSES:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

STAFF WITNESSES:

1. C/O D. D. D.
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

## SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

CASE NO: 1683CONDUCT COMPLAINTRESIDENT BROWN, CHARLESDATE 6-21-97TIME 2125 hoursTIME AND DATE  
OF HEARING1000 hrs. 26 June 97

INCIDENT: On the above date and time after Supervisor Murray dispensed medication Inmate Brown stated, "Fuck You". This % directly ordered this inmate to lock-in. Inmate Brown refused this order and continued to linger about the block and make belligerent comments, causing this % to physically kick inmate Brown's door. At this time inmate Brown stated he doesn't listen to Shit Bags. Moments later this % + % Rizzardi presented Res. Brown a 6 day minor to sign (see attached). Brown responded with, "Shove it and we can do this right now - Bring all your Blue Shirt murt's on!".

CLASS I MISCONDUCTS

- Rioting or inciting to riot.
  - Conspiracy to escape, riot, or disrupt normal prison routine that could result in injury to personnel or inmates.
  - 1. Refusing to obey an order.
  - Insolence or disrespect toward a staff member.
  - Violation of administrative directives not specifically enumerated.
- mat Rule Handbook p. 116 section 2 letters H, and I
1. Repeated violations of Class II misconducts (#10 - see minor misconduct).

COMPLAINING OFFICER

% P. JORGAN

RESIDENT WITNESSES:

STAFF WITNESSES:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

SCHUYLKILL COUNTY PRISONNOTICE OF MINOR MISCONDUCTDATE: 6/21/97TIME: 2150 hrsRESIDENT: BROWN, C.

INCIDENT: On the above date AND time the above inmate said, "Fuck you" to this %.  
This % THEN told inmate BROWN to Lock-in. He ignored this direct order AND continued to linger in the Block AND continued to make beligerant statements to this guard

Class II Misconduct

#10. Any Violation of Rule OR Regulation contained in the inmate handbook not specifically enumerated in this sub section.

COMPLAINING OFFICER % MORGAN

If a resident is reported by an officer for a minor misconduct, he/she may or may not be placed in Administrative Segregation at the time the incident occurred. Segregation is at the discretion of the Complaining Officer, per approval of the Shift Supervisor. A hearing will be scheduled before the Disciplinary Board within 24 hours or sooner and no later than six (6) days from the time of incident. He/she can be awarded a period of time in Administrative Segregation of not more than thirty (30) days to be decided by the Disciplinary Board.

ADMINISTRATIVE SEGREGATION: YES: \_\_\_\_\_ NO: \_\_\_\_\_

IF YES STATE REASON: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

RESIDENT RECEIVED COPY - DATE: 6/21/97 TIME: 2125RESIDENT SIGN: Inmate Stated, "Shove it" % man

APPROVED: \_\_\_\_\_  
 CHIEF SUPERVISOR

**SCHUYLKILL COUNTY PRISON**

**Pottsville, Pennsylvania**

RESIDENT CHARLES BROWN  
PRISON NO. \_\_\_\_\_

CASE NO: 1683  
TIME: 10:15  
DATE: 6/26/97

RESULTS OF HEARING: BOARD: SUP. BERDANIER, COUNSELOR KRYJAK  
CHAIR: W/R ROY EILER

C/O MORGAN: (MORGAN ABSENT) C/O FALESKI READ CONDUCT REPORT TO BOARD & RES. BROWN.

EILER: IS THE REPORT TRUE AS STATED?

FALESKI: YES, TO THE BEST OF MY KNOWLEDGE & BELIEF.

EILER: HOW DO YOU (BROWN) PLEAD?

BROWN: GUILTY TO #18, 31 & 13. NOT GUILTY TO THE OTHERS.

EILER: DO YOU HAVE ANYTHING TO SAY?

BROWN: NO.

EILER: DOES THE BOARD HAVE ANY QUESTIONS?

KRYJAK: DID YOU SAY "BRING ON YOUR BLUE SHIRT SMURFS"?

BROWN: YES.

FINDING: X GUILTY        NOT GUILTY

DISPOSITION: GUILTY TO #13, 18, 31 - 20 DAYS EACH CHARGE - TOTAL 60 DAYS. CREDIT FOR SERVED. 1 HR YARD TIME 5 DAYS A WEEK. REVIEWED EVERY 5 DAYS. AN APP MAYBE MADE IN WRITING TO THE WARDEN WITHIN 30 DAYS.

ATTENDED HEARING:

1. Roy J. Eiler  
2. Morgan

3. Supv. E.H. Berdanier  
4. \_\_\_\_\_

David J. Keady  
WARDEN'S SIGNATURE

## SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

## CONDUCT COMPLAINT

CASE NO: 1730RESIDENT Brown, CharlesDATE 22 Jan 98TIME 6:30 PMTIME AND DATE  
OF HEARING 1/27/98 @ 10:30 AM

INCIDENT: on the above date and time resident Brown, C was told again to pull his pants up from letting his rear end hang out. Inmate Brown, C became belligerent and acted in an aggressive behavior at this C/O (Yourey), and C/O Wittig. Inmate Brown, C was told to "lock-in", Inmate Brown, C stated, "Fuck ya all, I aint lockin' in, ya all crazy." At this time Supervisor Rizzardi, C/O Wittig and myself (C/O Yourey) entered C/Block to lock resident Brown, C in. Resident Brown, C again had an aggressive attitude toward staff.

The following are class 1 misconducts:

18. Refusing to obey an order.

- (13) Conspiracy to escape, Riot or Disrupt Normal Institution Routine that could Result in bodily injury to personnel or inmates
- (31) Insolence or Disrespect toward A Staff member
- (33) Violation of Administrative Directives NOT specifically Enumerated

COMPLAINING OFFICER C/O Yourey

RESIDENT WITNESSES:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

STAFF WITNESSES:

1. Rizzardi
2. Wittig
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

BROWN, CHARLES  
RESIDENT Brown, Charles  
PRISON NO. \_\_\_\_\_

CASE NO: 1730  
TIME: 6:30PM 10:30  
DATE: 22 Jan 98 1/27/98

RESULTS OF HEARING: BOARD: SUP. RUBRIGHT, COUNSELOR KURDINSKY  
CHAired: W/R/A MATT MORGAN

C/O YOUREY: (YOUREY ABSENT) C/O MENDINSKY READ CONDUCT REPORT TO BOARD  
& RES. BROWN.

MORGAN: IS THE REPORT TRUE AS STATED?

MENDINSKY: YES.

MORGAN: HOW DO YOU (BROWN) PLEAD?

BROWN: GUILTY.

MORGAN: DO YOU HAVE ANYTHING TO SAY?

BROWN: THE C/O TOLD ME TO PULL UP MY PANTS. THE FIRST TIME I DID.  
THE SECOND TIME HE TOLD ME TO PULL UP MY PANTS I WAS HEADING  
FOR THE SHOWER. I TOLD HIM I HAD TO TAKE MY PANTS OFF TO SHOWER  
SO I ARGUED WITH HIM. OTHER PEOPLE WEAR THEIR PANTS LOWER THAN  
ME. I FELT LIKE I WAS BEING HARASSED.

MORGAN: DID YOU DO THIS TO AVOID TAKING P.C. - AS A WAY TO SAVE FACE  
AND AVOID AN INCIDENT WITH ANDY MCFARLAND OR ANY OTHER OF  
COREY MCCABE'S BROTHERS OR FRIENDS?

BROWN: NO, I JUST FELT HARASSED.

MORGAN: IF YOU STAY ON 'C' BLOCK OR GO TO 'F' BLOCK WILL THERE BE A  
PROBLEM?

BROWN: NO, I DON'T THINK SO.

FINDING: X GUILTY        NOT GUILTY

DISPOSITION: GUILTY TO #13,18,31. 10 DAYS L/U ON EACH CHARGE - TOTAL 30 DAYS WITH  
CREDIT FOR TIME SERVED. TO REMAIN ON 'C' BLOCK. REVIEWED EVERY  
5 DAYS. AN APPEAL MAYBE MADE IN WRITING TO THE WARDEN WITHIN 30 DAYS.

L/U BEGINS - 1/22/98

L/U ENDS - 2/21/98

ATTENDED HEARING:

1. [Signature]  
2. [Signature]

3. [Signature]  
4.       

[Signature]  
WARDEN'S SIGNATURE



## SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

CASE NO: 177D  
1562CONDUCT COMPLAINTRESIDENT Brown CDATE 5-22-98TIME 8:00 P.M.TIME AND DATE Admin L/U pending new  
OF HEARING Charges (Pottville P.D.) - dropped  
Rescheduled for 6/24/98 @ 5:30pm

INCIDENT: ON THE ABOVE DATE AND TIME THIS C/O WAS DOING 8:00 o'clock check AND SAW THAT RES. MARSHALL, D WAS NOT STANDING IN FRONT OF HIS CELL DOOR. RES. MARSHALL, D WAS IN THE CELL CRYING. THIS C/O HAD ASKED HIM WHAT WAS WRONG AND RES. MARSHALL, D STATED THAT "HE HAD FELL". THIS C/O HAD SEEN THAT HIS FACE WAS SWELLING AND HAD DEEP CUTS ON BOTH SIDES ON HIS CHEEKS. THIS C/O HAD NOTIFIED SUP RIZZARDI AND C/O ANDRUCHEK AND C/O BLOSCHICKAK. AFTER TALKING WITH RES. MARSHALL, D HE HAD TOLD US THAT IT WAS RES. BROWN, C WHO HAD ASSAULTED HIM, HE DID NOT FALL. RES. MARSHALL, D STATED "RES BROWN, C DID NOT HIT ME WITH HIS FISTS, BUT HE USED A WEAPON" AFTER FURTHER INVESTIGATION, THE WEAPON USED IN THE ASSAULT WAS THE ROUND PIECE OF METAL THAT OPENS AND CLOSES THE WINDOW IN RES. BROWN, C CELL.

COMPLAINING OFFICER C/O WITTIG

## RESIDENT WITNESSES:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

## STAFF WITNESSES:

1. C/O Andruschak
2. C/O Blochichak
3. C/O Witty
4. C/O Bouda
5. \_\_\_\_\_
6. \_\_\_\_\_



## SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

CASE NO: 177DCONDUCT COMPLAINT

RESIDENT BROWN C DATE 5-22-98  
 TIME 8:00 P.M. TIME AND DATE  
 OF HEARING \_\_\_\_\_

## INCIDENT:

THE FOLLOWING ARE CLASS I MISCONDUCTS:

- ✓ #3 Possession of or introduction of contraband or implements of escape
- ✓ #4 carrying a deadly weapon
- ✓ #9 tampering with, destroying or damaging property
- ✓ #12 Rioting or inciting to riot
- ✓ #13 Conspiracy to escape, riot, or disrupt normal institution routine that could result in bodily injury to personnel or inmates
- ✓ #16 assaults and fighting
- ✓ #22 breaking restriction or quarantine
- ✓ #29 Presence in an unauthorized area - another person's cell or the wrong tier, etc.

COMPLAINING OFFICER \_\_\_\_\_

RESIDENT WITNESSES:

STAFF WITNESSES:

1. \_\_\_\_\_  
 2. \_\_\_\_\_  
 3. \_\_\_\_\_  
 4. \_\_\_\_\_  
 5. \_\_\_\_\_  
 6. \_\_\_\_\_

1. \_\_\_\_\_  
 2. \_\_\_\_\_  
 3. \_\_\_\_\_  
 4. \_\_\_\_\_  
 5. \_\_\_\_\_  
 6. \_\_\_\_\_

- ✓ #3 Violation of administrative directives not specifically enumerated

SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

RESIDENT CHARLES BROWN  
PRISON NO. \_\_\_\_\_

CASE NO: 1770  
TIME: 5:30  
DATE: 6/24/98

RESULTS OF HEARING: BOARD: SUP. FLANNERY, C/O SETLOCK  
CHAired: W/R/A MATT MORGAN

C/O WITTIG: (WITTIG ABSENT) C/O TAYLOR READ CONDUCT REPORT TO BOARD &  
RES. BROWN.

MORGAN: IS THE REPORT TRUE AS STATED?

TAYLOR: YES.

MORGAN: HOW DO YOU (BROWN) PLEAD?

BROWN: GUILTY TO #16, 29, 13.

MORGAN: DO YOU HAVE ANYTHING TO SAY?

BROWN: I BEAT MARSHALL WITH MY HANDS. HERE IS A COPY OF THE POLICE  
REPORT FROM POTTSVILLE PD.  
(REPORT SUBMITTED AS EVIDENCE AND READ BY C/O TAYLOR.)

MORGAN: DID YOU HIT HIM WITH SOMETHING OTHER THAN YOUR FISTS?

BROWN: NO. JUST MY FISTS.

FINDING: X GUILTY        NOT GUILTY

DISPOSITION: GUILTY TO #9,13,16,29,33 & 34. GIVEN 90 DAYS L/U IN "E" BLOCK.  
CREDIT FOR TIME SERVED SINCE 5/22/98. 1 HR YARD TIME 5 DAYS A WEEK.  
REVIEWED EVERY 5 DAYS. AN APPEAL MAYBE MADE IN WRITING TO THE WARDEN  
WITHIN 30 DAYS.

ATTENDED HEARING:

1. Matt W. Morgan  
2. M. R. Flannery

3. Todd Setlock  
4. \_\_\_\_\_

David J. Kueh  
WARDEN'S SIGNATURE

## SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

CASE NO: 1812

F-17

CONDUCT COMPLAINTRESIDENT CHARLES BROWN DATE SEPT 26TH 1998TIME 10:00 AMTIME AND DATE  
OF HEARINGOCT 1, 1998 @ 5:45pm

## INCIDENT:

ON THE ABOVE DATE AND TIME THIS % WAS STATIONED IN F BLOCK, WHILE I WAS IN THE BLOCK A PHYSICAL CONFRONTATION ENSUED BETWEEN RES BROWN, C. AND COLNA, P.. WHAT STARTED AS HORSEPLAY IMMEDIATELY BECAME SERIOUS WHEN THEY FELL TO THE FLOOR. THE STAFF AND I THEN SEPARATED THE 2 RESIDENTS AND THEY HAD TO BE LOCKED IN THEIR RESPECTIVE CELLS BECAUSE IT CONTINUED VERBALLY.

; 1 MISCONDUCTS;

# 13 CONSPIRACY TO ESCAPE, RIOT OR DISRUPT NORMAL INSTITUTIONAL ROUTINE THAT COULD RESULT IN BODILY INJURY TO PERSONNEL OR INMATES.

# 16 ASSAULTS AND FIGHTING.

# 18 REFUSING TO OBEY AN ORDER.

COMPLAINING OFFICER

% A. Falarin

RESIDENT WITNESSES:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

STAFF WITNESSES:

1. % M. D. [Signature]
2. % [Signature]
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

RESIDENT CHARLES BROWN  
PRISON NO. \_\_\_\_\_

CASE NO: 1812  
TIME: 5-45  
DATE: 10/1/98

RESULTS OF HEARING: BOARD: SUP. RUBRIGHT, C/O TAYLOR  
CHAIR: W/R/A MATT MORGAN

C/O FALESKI: (FALESKI ABSENT) C/O BLOSCHICHAK READ CONDUCT REPORT TO BOARD  
& RES. BROWN.

MORGAN: IS THE REPORT TRUE AS STATED?

BLOSCHICHAK: YES.

MORGAN: HOW DO YOU (BROWN) PLEAD?

BROWN: UNSURE ON HOW TO PLEAD.

MORGAN: DO YOU HAVE ANYTHING TO SAY?

BROWN: IT WAS ALL FOOLING AROUND UNTIL I GAVE COLNA A HIP TOSS AND  
HE HIT HIS HEAD.

RES. WHALEN CALLED

WHALEN: EVERYONE THOUGHT THAT THEY WERE FOOLING AROUND UNTIL COLNA  
FLEW THROUGH THE AIR.

NO FURTHER QUESTIONS.

FINDING: Y GUILTY        NOT GUILTY

DISPOSITION: GUILTY OF #13, 16 & 18. GIVEN 40 DAYS L/U. CREDIT FOR TIME SERVED.  
REMAIN IN "F" BLOCK UNTIL A CELL BECOMES AVAILABLE IN "E" BLOCK.  
1 HR YARD TIME 5 DAYS A WEEK. REVIEWED EVERY 5 DAYS. AN APPEAL MAYBE  
MADE TO THE WARDEN WITHIN 30 DAYS.

ATTENDED HEARING:

1. Matt Morgan  
2. Sup. Rubright

3. C/O Taylor  
4. \_\_\_\_\_

David J. Knott  
WARDEN'S SIGNATURE

## SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

CASE NO: 1819CONDUCT COMPLAINTRESIDENT F/OLK Res. Brown. C. DATE 18 OCT 98TIME 0850 HRS TIME AND DATE OF HEARING 10/23/98 @ 5:50pm.

INCIDENT: AS THIS YO WAS INVOLVED IN AN INCIDENT WITH Res Campbell, Res. Brown LEFT HIS CELL AND APPROACHED THE IMMEDIATE AREA OF ABOVE-MENTIONED INCIDENT IN A THREATENING MANNER. Res BROWN WAS ALREADY RESTRICTED TO HIS CELL ON A PREVIOUS MAJOR MISCONDUCT. (SEE INCIDENT REPORT)

Res Brown is CHARGED WITH THE FOLLOWING MAJOR MISCONDUCTS:

- #12 RIOTING OR INCITING TO RIOT
- ✓ #13 CONSPIRACY TO ESCAPE, RIOT OR DISRUPT NORMAL INSTITUTION ROUTINE -  
COULD RESULT IN BODILY INJURY TO PERSONNEL OR INMATES
- #15. THREATENING AN EMPLOYEE OR INMATE WITH BODILY HARM OR INJURY
- ✓ #18. REFUSING TO OBEY AN ORDER
- ✓ #22. BREAKING RESTRICTION OR QUARANTINE.
- ✓ #24. PRESENCE IN AN UNAUTHORIZED AREA
- #31. INSOLENCE OR DISRESPECT TOWARD A STAFF MEMBER
- ✓ #32. VIOLATION OF ADMINISTRATIVE DIRECTIVES NOT SPECIFICALLY ENLIGHTENED

COMPLAINING OFFICER YO MICHAEL FA

## RESIDENT WITNESSES:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

## STAFF WITNESSES:

1. C/O Blochichak
2. % Sandler
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

# SCHUYLKILL COUNTY PRISON ACCIDENT/INCIDENT REPORT

(Use for fire, theft, damage, injuries, suicide attempts, reportable injuries, etc.)

Date 18 OCT 98 Person reporting % Michael Ford  
Time 0850 HRS. Shift Supervisor RUBENAT Supv. Ruff  
Name of individual report is about F/EX Res. Brown, C.  
Witness % Sandler Witness c/o Bluschick

INCIDENT: AS THIS % WAS INVOLVED IN AN INCIDENT WITH RES. CAMPBELL, RES. BROWN LEFT HIS CELL AND APPROACHED THE IMMEDIATE AREA OF ABOVE MENTIONED INCIDENT IN A THREATENING MANNER. RES. BROWN WAS ALREADY RESTRICTED TO HIS CELL ON A MAJOR MISCONDUCT. RES. BROWN SHOUTED THREATS AND INSULTS DURING THIS INCIDENT. RES. BROWN WAS TOLD TO RETURN TO HIS CELL SEVERAL TIMES DURING THIS INCIDENT.

Action taken/Disposition

Date 10-19-98 Dep. Warden Beidman

Schuykill County Prison  
230 Sanderson Street  
Pottsville PA 17901-1758

Accident/Incident Report 9/95

Individual report is about RES. BROWN, C

**SCHUYLKILL COUNTY PRISON**

**Pottsville, Pennsylvania**

RESIDENT CHARLES BROWN  
PRISON NO. \_\_\_\_\_

CASE NO: 1819  
TIME: 5:50PM  
DATE: 10/23/98

RESULTS OF HEARING: BOARD: SUP. RIZZARDI, C/O CARUSO  
CHAIRMAN: W/R/A MATT MORGAN

C/O FORD: (FORD ABSENT) C/O SETLOCK READ CONDUCT REPORT TO BOARD & RES. BROWN.

MORGAN: IS THE REPORT TRUE AS STATED?

SETLOCK: YES.

MORGAN: HOW DO YOU (BROWN) PLEAD?

BROWN: GUILTY TO # 18.

MORGAN: DO YOU HAVE ANYTHING TO SAY?

BROWN: I JUST CAME OUT OF MY CELL TO GET MEDICATIONS. C/O BLOSCICHAK TOLD ME TO GO BACK TO MY CELL, SO I DID.

MORGAN: DOES THE BOARD HAVE ANY QUESTIONS?

RIZZARDI: WHAT WERE YOU OUT OF YOUR CELL FOR?

BROWN: TYLENOL. I WASN'T SAYING ANYTHING.

FINDING: X GUILTY        NOT GUILTY

DISPOSITION: GUILTY OF #13, 18 & 33. GIVEN 45 DAYS IN "E" BLOCK. NO CREDIT FOR TIME SERVED. (SERVING A MAJOR MISCONDUCT AT TIME OF INCIDENT)  
1 HR YARD TIME 5 DAYS A WEEK. REVIEWED EVERY 5 DAYS. AN APPEAL MAYBE MADE IN WRITING TO THE WARDEN WITHIN 30 DAYS.

ATTENDED HEARING:

Matthew W. Morgan  
Scott P. Ryan

3. C/O John Caruso  
4. David J. Karty

## SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

CASE NO: 1849CONDUCT COMPLAINTRESIDENT Brown, CDATE 1-4-99

TIME

9:10 A.M.TIME AND DATE  
OF HEARING1/7/99 @ 6:15 PM

## INCIDENT:

ON ABOVE DATE & TIME This Supv. Noticed that Above inmate BROWN, CH. HAD RES. SCOTT, C SNEAKERS ON FROM C/BLK. RES. BROWN ADMITTED TO THIS SUPV. THAT THE SNEAKERS ARE FROM C/BLK BUT WOULD NOT TELL ME HOW IT WAS DONE. BROWN IS IN F. BLK

Class I

- 13 Conspiracy to escape, Riot, or disrupt normal instit Routine that could Result in bodily injury to personnel inmates
- 33 Violation of Administrative directives not specifically enu
- 30 Loaning property for profit

COMPLAINING OFFICER



RESIDENT WITNESSES:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

STAFF WITNESSES:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_



**SCHUYLKILL COUNTY PRISON**

**Pottsville, Pennsylvania**

RESIDENT BROWN, CHARLES  
PRISON NO. \_\_\_\_\_

CASE NO: 1849  
TIME: 6:15pm  
DATE: 01/07/99

RESULTS OF HEARING: BOARD: C/O TAYLOR & C/O WITTIG  
CHAIRMAN: W/R/A MORGAN

SUP. RIZZARDI: READS THE CONDUCT REPORT TO THE BOARD AND RES. BROWN, C.  
MORGAN: IS THE REPORT TRUE AS STATED?  
RIZZARDI: YES.  
MORGAN: HOW DO YOU (BROWN) PLEAD?  
RES. BROWN: GUILTY TO #13, & #30.  
MORGAN: DO YOU (BROWN) HAVE ANYTHING TO SAY IN YOUR BEHALF?  
RES. BROWN: NO.  
MORGAN: HOW WERE THE SNEAKERS PASSED BETWEEN BLOCKS?  
RES. BROWN: C/O ZELONIS PASSED THE SNEAKERS.  
MORGAN: WHY DID C/O ZELONIS PASS THE SNEAKERS FROM RES. SCOTT WHO IS IN ONE TO YOU, IN ANOTHER BLOCK.  
BROWN: RES. SCOTT ASKED HIM TO. I NEEDED A GOOD PAIR OF SNEAKERS FOR COURT MINE WERE THE "RUN DMC MODEL".  
MORGAN: DOES THE BOARD HAVE ANY FURTHER QUESTIONS?  
BOARD: NO.

FINDING: X GUILTY        NOT GUILTY

DISPOSITION: GUILTY OF #13, & #30. GIVEN 20 DAYS LOCK-UP, TO BE SERVED ON PRESEN CREDIT FOR TIME SERVED. RESIDENT WARNED THAT IF HIS BEHAVIOR CONTIN LONGER HE (BROWN) WILL BE PLACED INTO ADMINISTRATIVE LOCK-UP AND REM IN SUCH STATUS UNTIL HE LEAVES THIS INSTITUTION. REVIEW EVERY FIVE ONE HOUR YARD TIME, FIVE TIMES PER WEEK. AN APPEAL MAYBE MADE IN WR ATTENDED HEARING: TO THE WARDEN WITHIN THE NEXT 30 DAYS..

1. Matthew W. Morgan  
2. C/O Taylor

3. Kathy T. Little  
4. \_\_\_\_\_

David J. Kuntz  
WARDEN'S SIGNATURE

## SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

## CONDUCT COMPLAINT

CASE NO: 1859RESIDENT Brown, CharlesDATE 2/2/99TIME 1050 AMTIME AND DATE  
OF HEARING2-5-99 12:30 PM

INCIDENT: On above date + time Res. Brown, C Commissary was given to him by % Setlock. Res. Brown, C went to his cell and emptied his bag, a couple minutes later Res. Brown, C told this % his coffee was missing. This % asked Brown if his bag was opened Brown stated yes. This % said I can't help him. Brown kicked F-BIK door and said he wants to see the Supr. this % with % Devlin went INTO F-BIK Brown had his fist clenched and said he wasn't going to his cell. % Setlock + % Devlin had to escort Brown to his cell.

Class 1 Misconducts

12. Rioting or inciting to riot
13. Conspiracy to escape, riot, or disrupt normal institution routine that could result in bodily injury to personnel or inmates
18. Refusing to obey an order
31. Insolence or disrespect toward a staff member
33. Violation of administrative directives not specifically enumerated

COMPLAINING OFFICER

% Setlock

WITNESSES:

STAFF WITNESSES:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

*David J. Kuroh*  
MARDEN'S SIGNATURE

## SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

CASE NO: 1899

## CONDUCT COMPLAINT

RESIDENT

Charlie Brown

DATE

6-6-99

TIME

3:05

TIME AND DATE  
OF HEARING

6/9/99 @ 10:15am

INCIDENT: On above date + time this C/O  
saw Res. J. Michels and Res. C. Brown  
fighting.

Class 1 mis.

12. Rioting or inciting to riot
13. Conspiracy to escape, riot or disrupt normal institution routine that could result in bodily injury to personnel or inmates.
15. Threatening an employee or inmate with bodily harm or injury.
16. Assaults and fighting.
22. Breaking restriction or quarantine

Class 2 mis.

1. Body punching, horse play.
10. Any violation of rule or regulation contained in the inmate handbook not specifically enumerated in this subsection.

COMPLAINING OFFICER C/O Zelonis

## RESIDENT WITNESSES:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

## STAFF WITNESSES:

1. C/O Brown
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

RESIDENT CHARLES BROWN  
PRISON NO. \_\_\_\_\_ CASE NO: 1899  
TIME: 5:4-  
DATE: 6/9/99

RESULTS OF HEARING: BOARD: SUP. KANKOWSKI, C/O TAYLOR  
CHAIRMAN: ACTING, COUNSELOR KRYJAK  
ATTORNEY TO \_\_\_\_\_

THE BOARD REVIEWED THE MAJOR MISCONDUCT WITHOUT THE RESIDENT PRESENT.

FINDING: ☒ GUILTY ☐ NOT GUILTY

DISPOSITION: IN VIEW OF RESIDENT BROWN BEING ALREADY IN ADMIN SEGRE, IT IS THE BOA  
RECOMMENDATION THAT RESIDENT BROWN CONTINUE IN ADMIN SEGRE.

ATTENDED HEARING:

1. [Signature] 3. C/O Taylor  
2. Supr Anthony Kankowski 4. \_\_\_\_\_

F 11 3 11

SOUTHERN COUNTY PRISON

Pottsville, Pennsylvania

CASE NO: 1916CONDUCT COMPLAINTRESIDENT Brown, C (E-8) DATE 7-2-99TIME APPROX. 3:45 PM TIME AND DATE OF HEARING 7/7/99 @ 5:30pm

**INCIDENT:** on above date & approx. time Res. Brown came back from counselor's office and picked up the mop wringer. Res then said to this c/o to stay away from the windows unless I wanted glass all over me. I told Res. Brown to stop & Res. said to call the Dep. Warden & tell him to get down to E-blk now. This c/o then notified Sup. Kankowski & c/o Wittig of the situation. Res Brown then started to smash the mop wringer off of the walls, tables, & smashed the heating thermostat cover & thermostat off the wall. Res. also said that if anyone (sup. Kankowski, cons. Kryjack, Kurdinsky, c/o's Wittig, Zelonis, Kruss, & myself) crossed over the sally port & into E-blk dayroom, they would get hit with the wringer. Dep. Warden Berdancier came into E-blk along with all mentioned staff. Res. Brown continued to hit the wringer off the wall & shouted before returning to his cell.

Class 4 misconducts:

- #4 Carrying a deadly weapon
- #9 Tampering with, destroying or damaging property
- #12 Rioting or inciting to riot
- #13 Conspiracy to escape, riot, or disrupt normal institution routine that could result in bodily injury to personnel or inmates.
- #15 Threatening an employee or inmate with bodily harm or injury (8 counts)
- #18 Refusing to obey an order
- #22 Breaking restriction or quarantine
- #29 Presence in an unauthorized area - E-blk dayroom while in lock-up
- #31 Insolence or disrespect toward a staff member (8 counts)

COMPLAINING OFFICER Bloschick

## INIDENT WITNESSES:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

## STAFF WITNESSES:

1. Wittig
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

3 Violations of Administrative directives not specifically enumerated  
 Inmate handbook pages

Page 18 HS General locations Letters A &amp; B

Page 17 Letter E institutional property

Page 16 Letter H following orders

Page 6 Communication & Grievance Procedure  
Letters C, D, & G

4 Repeated violations of Class 2 misconducts.

**SCHUYLKILL COUNTY PRISON**  
**Pottsville, Pennsylvania**

RESIDENT CHARLES BROWN  
 PRISON NO. \_\_\_\_\_

CASE NO: 1916  
 TIME: 5:30  
 DATE: 7/7/99

**RESULTS OF HEARING:**

BOARD: SUP. KANKOWSKI, C/O MCGOWEN  
 CHAIRED: W/R/A MORGAN

C/O BLOSHCHAK:

(BLOSHCHAK ABSENT) C/O WITTIG READ CONDUCT REPORT TO  
 BOARD & RES. BROWN.

MORGAN:

IS THE REPORT TRUE AS STATED?

MCGOWEN:

YES.

MORGAN:

HOW DO YOU (BROWN) PLEA?

BROWN:

GUILTY.

MORGAN:

DO YOU HAVE ANYTHING TO SAY?

BROWN:

I HAVE MENTAL HEALTH ISSUES THAT NEED TO BE ADDRESSED BY  
 PROFESSIONALS.

MORGAN:

DOES THE BOARD HAVE ANY QUESTIONS.

BOARD:

NO.

FINDING: X GUILTY        NOT GUILTY

DISPOSITION: GUILTY ON ALL CHARGES. GIVEN 180 DAYS L/U IN "E" BLOCK.  
 TIME BEGINNING 7/7/99 AT 6PM. REVIEWED EVERY 5 DAYS. 1 HR YARD TIME 5 DAYS  
 A WEEK. AN APPEAL MAYBE MADE TO THE ACTING WARDEN WITHIN 30 DAYS.  
 (IN WRITING)

**ATTENDED HEARING:**

1. William W. Morgan

3. S. Will

2. Anthony Marshall

4. \_\_\_\_\_

ACTING

E. A. Beukmier  
 WARDEN'S SIGNATURE



## SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

CASE NO:

1949

CONDUCT COMPLAINTRESIDENT Brown, CDATE 8-22-99TIME 9:15 p.m.TIME AND DATE  
OF HEARING8/24/99 @ 6pm

INCIDENT: On above date & Time when this C/O was attempting to move Res, OHL, J which is Res Brown, & cell mate, Res Brown was blocking the door way & said He (meaning Res, OHL, J) isn't going any where. I closed the cell door & Told Supv Kanka I asked Res, OHL, J to move again, Res Brown replied if the door & again he was stabbing C/O's with pens at this point Supv Kanka & C/O's Wittig, Ghores, came into assist in controlling the situation Res. Brown, C said he will take us all on & threw the pens down, grab a mattress from his cell & threw it to the floor from the top tier

Class I Misconducts

- #4 Carrying a deadly weapon  
#12 Rioting or inciting to riot  
#13 disrupt normal institution routine

COMPLAINING OFFICER

C/O Kwon

RESIDENT WITNESSES:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

STAFF WITNESSES:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

Next Page



SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

RESIDENT CHARLES BROWN  
PRISON NO. \_\_\_\_\_

CASE NO: 1949  
TIME: 6 PM  
DATE: 8/24/99

RESULTS OF HEARING: BOARD: SUP FLANNERY, C/O KALINICH  
CHAired: SUP. KANKOWSKI

C/O KRUSS: (KRUSS ABSENT) C/O KALINICH READ CONDUCT REPORT TO BOARD & RES. BROWN.

KANKOWSKI: IS THE REPORT TRUE AS STATED?

KALINICH: YES.

RES BROWN NOT PRESENT.

RES. BROWN UNDER ADMIN. L/U ALREADY.

FINDING: X GUILTY        NOT GUILTY

DISPOSITION: CONTINUE UNDER ADMIN. L/U. YARD TIME RETURNED 5 DAYS A WEEK, 1 HR.

ATTENDED HEARING:

- |          |          |
|----------|----------|
| 1. _____ | 3. _____ |
| 2. _____ | 4. _____ |

*Deputy*  
E. H. Beidman  
WARDEN'S SIGNATURE

## SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

CASE NO: 1954CONDUCT COMPLAINT

RESIDENT Brown C DATE 8/27/99  
 TIME 10:10 AM TIME AND DATE OF HEARING 9/3/99 @ 10:15 AM

## INCIDENT:

On Above DATE & Time This C/o McGowan attempted to do a cell change Res. Brown refused to let Res. McCabe move in his cell. Res. stated "I don't want nobody in my cell move me to medical." Res. was informed that he would be placed on a major misconduct if he refused so. Reason for cell change was because of overcrowding, numerous Comm. and HAD to make room for Prison Routine to Run Correctly.

- #13 Conspiracy to escape, riot or disrupt normal institution routine that could result in bodily injury to personnel or inmates  
 #18 Refusing to obey an order  
 #33 Violation of administrative directives not specifically enumerated  
 #34 Repeated Violations of Class 2 misconducts

COMPLAINING OFFICER C/o McGowan

## RESIDENT WITNESSES:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

## STAFF WITNESSES:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

RESIDENT CHARLES BROWN  
PRISON NO. \_\_\_\_\_

CASE NO: 1954  
TIME: 8:10 AM  
DATE: 9/7/99

RESULTS OF HEARING:

BOARD: C/O'S CASESTIA & GERA  
CHAired: W/R/A MORGAN

C/O MCGOWEN:

(MCGOWEN ABSENT) SUP. RIZZARDI READ CONDUCT REPORT TO BOARD & RES. BROWN.

MORGAN:

IS THE REPORT TRUE AS STATED?

RIZZARDI:

YES.

MORGAN:

HOW DO YOU (BROWN) PLEA?

BROWN:

NOT PRESENT.

FINDING: X GUILTY        NOT GUILTY

DISPOSITION: ADMINISTRATIVE LOCKUP

ATTENDED HEARING:

1. Mark W. [Signature]
2. Greg Caserta
3. Michael Gera
4. \_\_\_\_\_

E. H. Bedoncin  
Deputy WARDEN'S SIGNATURE

## SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

CASE NO: 2107CONDUCT COMPLAINTRESIDENT BROWN, Charles DATE 5/6/00TIME 2:15 PM TIME AND DATE  
OF HEARING 5.11.00 @ 0945

INCIDENT: Res Brown, C was in a confrontation with Res Whalen, Tools. Both residents were throwing punches.

Residents were locked up after fight.

- Violations
- # 16 Assaults & Fighting
  - # 13 Conspiracy to escape, riot or disrupt normal institution routine that could result in bodily injury to personnel or inmates

COMPLAINING OFFICER

Go Berman

RESIDENT WITNESSES:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

STAFF WITNESSES:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

RESIDENT CHARLES BROWN  
PRISON NO. \_\_\_\_\_

CASE NO: 2107  
TIME: 9:45  
DATE: 5/11/00

RESULTS OF HEARING:

BOARD: C/O'S FALESKI, MENDINSKY  
CHAired: COUNSELOR KRYJAK

C/O BEVAN: READ CONDUCT REPORT TO BOARD & RES. BROWN.  
KRYJAK: IS THE REPORT TRUE AS STATED?  
BEVAN: YES.  
KRYJAK: HOW DO YOU PLEA?  
BROWN: NOT GUILTY TO #16. GUILTY TO #13.  
KRYJAK: DO YOU HAVE ANYTHING TO SAY?  
BROWN: NOTHING. SLAPS WERE THROWN NOT REALLY PUNCHES. WE WERE JUST PLAYING AROUND.  
KRYJAK: DOES THE BOARD HAVE ANY QUESTIONS?  
MENDINSKY: THERE WERE NO PUNCHES THROWN DURING THE WHOLE THING?  
BROWN: JUST SLAPS. I THINK THIS WAS HORSEPLAY. THATS WHAT IT STARTED AS.

FINDING: ☒ GUILTY ☐ NOT GUILTY

DISPOSITION: GUILTY TO #16, 13. 15 DAYS ON EACH. TOTAL 30 DAYS. CREDIT FOR TIME SERVED. 1 HR YARD TIME 5 DAYS A WEEK. REVIEWED EVERY 5 DAYS. AN APPEAL MAYBE MADE IN WRITING TO THE WARDEN WITHIN 30 DAYS.

ATTENDED HEARING:

1. [Signature] 3. [Signature]  
2. [Signature] 4. \_\_\_\_\_

[Signature]  
WARDEN'S SIGNATURE

## SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

CASE NO: 2149CONDUCT COMPLAINTRESIDENT BROWN, CHARLESDATE 08 JUN 00

TIME

1140 HRS

TIME AND DATE

OF HEARING

6-13-00 @ 0950

INCIDENT: ON THE ABOVE DATE AND TIME, THIS C/O WAS LOCKING DOWN F-BLOCK AFTER LUNCH. RES. BROWN, C APPROACHED THIS C/O AND STATED THAT HE WANTED BREAD INSTEAD OF HIS TRAY, BECAUSE HE HAD TWO TEETH REMOVED. UPON CHECKING WITH THE NURSE AND KITCHEN, NO SPECIAL ACCOMMODATIONS WERE TO BE MADE. UPON TELLING RES BROWN THIS, HE STATED "I AIN'T LOCKIN IN". AT THIS POINT THIS C/O RADIOED LT. FLANNERY TO COME TO F-BLOCK. LT. FLANNERY AND C/O HERRING ENTERED THE BLOCK AND RES. BROWN BECAME VERY HOSTILE AND ANGERED. RES. BROWN THEN TOOK OFF HIS SHIRT AND SAID "LETS GET IT ON". LT. FLANNERY, C/O HERRING AND THIS C/O THEN LEFT F-BLOCK AND ALERTED ALL C/O'S TO F-BLOCK TO ASSIST IN LOCKING BROWN IN. UPON ENTERING THE BLOCK ALONG WITH C/O'S HERRING, SCHWARTZ, FALESKI, SETLOCK, MENDINSKY, DEULIN AND LT. FLANNERY, BROWN BECAME EXTREMELY

COMPLAINING OFFICER

(CONT NEXT PAGE)

## RESIDENT WITNESSES:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

## STAFF WITNESSES:

1. WITNESS SIGNATURES ON LAST PAGE
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_



## SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

CASE NO: \_\_\_\_\_

CONDUCT COMPLAINT

RESIDENT \_\_\_\_\_ DATE \_\_\_\_\_

TIME \_\_\_\_\_ TIME AND DATE  
OF HEARING \_\_\_\_\_

INCIDENT: AGITATED WHILE HOLDING A MOP RINGER  
THREATENING TO USE IT. HE THEN BECAME VIOLENT  
TAKING AN AGGRESSIVE STANCE AND STRIKING LT.  
FLANNERY NUMEROUS TIMES IN THE HEAD AND FACE.  
HE ALSO BECAME PHYSICALLY ASSAULTIVE TO ALL C/O'S  
PRESENT BY KICKING AND PUNCHING. C/O'S HERRING  
MENDINSKY AND DEULIN WERE INJURED IN THE  
ALTERCATION. AT THIS TIME, BROWN BEGAN REPEATEDLY  
STRIKING LT. FLANNERY IN THE FACE AND HEAD.  
IN RESPONSE TO THIS, THIS C/O APPLIED A STREAM OF  
OLEORESIN CAPSICUM (O.C.) INTO THE FACE, EYES AND  
MOUTH OF BROWN. THIS BROUGHT BROWN UNDER CONTROL  
ENOUGH TO CEASE HIS VIOLENT ACTIONS AND GAIN  
CONTROL OF THE SITUATION. BROWN WAS THEN  
MOVED TO MEDICAL 2. THIS C/O ALONG WITH ALL

(CONT. NEXT P.)

COMPLAINING OFFICER \_\_\_\_\_

## RESIDENT WITNESSES:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

## STAFF WITNESSES:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

## SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

CASE NO: \_\_\_\_\_

CONDUCT COMPLAINT

RESIDENT \_\_\_\_\_ DATE \_\_\_\_\_

TIME \_\_\_\_\_ TIME AND DATE  
OF HEARING \_\_\_\_\_

INCIDENT: OTHER C/O'S USED ONLY THE MINIMAL  
AMOUNT OF FORCE TO GET THE SITUATION UNDER  
CONTROL AND AT NO TIME DID FORCE BECOME ECESSIVE.

I CHARGE BROWN WITH THE FOLLOWING  
CLASS I MISCONDUCTS:

- #4. CARRYING A DEADLY WEAPON
- #9. TAMPERING WITH, DESTROYING OR DAMAGING PROPERTY
- #13. CONSPIRACY TO ESCAPE, RIOT OR DISRUPT NORMAL INSTITUTION  
ROUTINE THAT COULD RESULT IN BODILY INJURY TO PERSONNEL  
OR INMATES.
- #15. THREATENING AN EMPLOYEE OR INMATE WITH BODILY HARM OR  
INJURY
- #16. ASSAULTS AND FIGHTING
- #22. BREAKING RESTRICTION OR QUARANTINE.
- #31. INSOLENCE OR DISRESPECT TOWARDS AN OFFICER.

COMPLAINING OFFICER \_\_\_\_\_ (CONT. NEXT PAGE)

## RESIDENT WITNESSES:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

## STAFF WITNESSES:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_



SCHUYLKILL COUNTY PRISON  
Pottsville, Pennsylvania

CONDUCT COMPLAINT

CASE NO: \_\_\_\_\_

RESIDENT \_\_\_\_\_ DATE \_\_\_\_\_

TIME \_\_\_\_\_ TIME AND DATE  
OF HEARING \_\_\_\_\_

INCIDENT:

# 33. VIOLATION OF ADMINISTRATIVE DIRECTIVES  
NOT SPECIFICALLY ENUMERATED.

# 34. REPEATED VIOLATIONS OF CLASS 2 MISCONDUCTS;  
REPEATED VIOLATIONS OF CLASS 1 MISCONDUCTS.

COMPLAINING OFFICER C/O POWERS

RESIDENT WITNESSES:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

STAFF WITNESSES:

1. C/O FRIESEN
2. C/O MANDERSKI
3. C/O [Signature]
4. C/O [Signature]
5. \_\_\_\_\_
6. \_\_\_\_\_

## SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

CASE NO: 2150CONDUCT COMPLAINTRESIDENT BROWN, C. DATE 6-8-00TIME 11:40 A.M. TIME AND DATE  
OF HEARING 6-13-00 @ 0940

## INCIDENT:

ON ABOVE DATE AND TIME RES. BROWN, C. REFUSED TO OBEY A ORDER TO LOCK-IN. RES. BROWN, C THEN TOOK POSSESSION OF THE MOP-RINGER. RES. BROWN, C REFUSED TO PUT THE MOP-RINGER DOWN. AFTER GETTING THE MOP-RINGER AWAY FROM RES. BROWN, C. HE THEN ASSAULTED THIS LT. THE FOLLOWING ARE CLASSI MISCONDUCTS:

- ⑬ CONSPIRACY TO ESCAPE, RIOT, OR DISRUPT NORMAL INSTITUTION ROUTINE THAT COULD RESULT IN BODILY INJURY TO PERSONNEL OR INMATES.
- ⑮ THREATENING AN EMPLOYEE OR INMATE WITH BODILY HARM OR INJURY,
- ⑱ REFUSING TO OBEY AN ORDER.
- ③① INSOLENCE OR DISRESPECT TOWARD A STAFF MEMBER.
- ③③ VIOLATION OF ADMINISTRATIVE DIRECTIVES NOT SPECIFICALLY ENUMERATED.
- ⑱ ASSAULTS AND FIGHTING. COMPLAINING OFFICER LT. Flannery

## RESIDENT WITNESSES:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

## STAFF WITNESSES:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

SCHUYLKILL COUNTY PRISON  
Pottsville, Pennsylvania

CASE NO: 2151CONDUCT COMPLAINT

RESIDENT BROWN CHARLES DATE 08 JUN 2000  
TIME 1430 HRS TIME AND DATE OF HEARING 6-13-00 @ 0930

INCIDENT: ON THE ABOVE DATE AND TIME, THIS C/O ALONG WITH C/O LAUDEMAN WERE CLEANING OUT BROWN'S CELL AFTER A CELL CHANGE. THE FOLLOWING ITEMS WERE FOUND: LIGHTERS, ASHTRAY AND PLASTIC BAGS WHICH ONCE HELD TOBACCO.

THE FOLLOWING ARE CLASS I MISCONDUCTS:

- #3. POSSESSION OF OR INTRODUCTION OF CONTRABAND OR IMPLEMENTS OF ESCAPE.
- #13. CONSPIRACY TO ESCAPE, RIOT OR DISRUPT NORMAL INSTITUTION ROUTINE THAT COULD RESULT IN BODILY INJURY TO PERSONNEL OR INMATES.
- #19. POSSESSION OF OR USE OF DANGEROUS OR CONTROLLED SUBSTANCES.
- #33 VIOLATION OF ADMINISTRATIVE DIRECTIVES NOT SPECIFICALLY ENUMERATED.

COMPLAINING OFFICER C/O BOWERS

## RESIDENT WITNESSES:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

## STAFF WITNESSES:

1. C/O Laudeman
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

#34. REPEATED VIOLATIONS OF CLASS II MISCONDUCTS:

**SCHUYLKILL COUNTY PRISON  
ACCIDENT/INCIDENT REPORT**

(Use for fire, theft, damage, injuries, suicide attempts, reportable injuries, etc.)

Date 6-8-00 Person reporting \_\_\_\_\_

Time 11:40 AM Shift Supervisor LT. FLANNERY

Name of individual report is about RES. BROWN, C.

Witness \_\_\_\_\_ Witness \_\_\_\_\_

**INCIDENT:**

ON ABOVE DATE AND TIME THIS LT. WAS CALLED TO F-BLK. UPON ENTERING F-BLK RES. BROWN, C WAS SITTING ON TOP OF THE TABLE. THIS LT. ORDERED RES. BROWN, C TO GET OFF THE TABLE. RES. BROWN, C. REFUSED TO GET OFF THE TABLE. RES. BROWN, C STATED HE WAS NOT LOCKING UP UNTIL HE GOT SOMETHING TO EAT. HE STATED HE COULD NOT EAT WHAT WAS ON HIS LUNCH TRAY. HE STATED HE COULD NOT EAT WHAT WAS ON

Action taken/Disposition

HIS TRAY BECAUSE HE HAD TWO TEETH EXTRACTED, TWO DAYS AGO. RES WAS NOT PUT ON A SPECIAL-TRAY BY THE MEDICAL DEPT.

Date \_\_\_\_\_ Warden \_\_\_\_\_

HIS LT. ORDERED RES BROWN TO LOCK-UP. RES. REFUSED TO OBEY THIS ORDER HE THEN STATED TO BRING EVERYONE IN TO LOCK HIM UP. AT THIS TIME LT. FLANNERY WAS IN THE BLOCK

Schuylkill County Prison  
230 Sanderson Street  
Pottsville PA 17901-1738

Accident Incident Report 9/95

Individual report is about \_\_\_\_\_

LONG WITH C/O'S BOWERS, & HERRING, AT THIS TIME WE LEFT THE BLOCK TO GET MORE C/O'S TO PUT RES. BROWN C. IN HIS CELL.

UPON RETURNING TO F-BLK WITH THE REST OF THE STAFF  
TO PUT RES. BROWN, C IN HIS CELL, RES BROWN, C WAS IN  
POSSESSION OF THE MOP-RINGER. THIS LT. ORDERED RES TO  
DROP THE RINGER-DOWN. RES REFUSED TO. THIS LT ALONG WITH  
REST OF THE C/O'S TO GET THE MOP-RINGER AWAY FROM  
RES BROWN. AFTER GETTING RES. BROWN TO DROP THE-RINGER  
DOWN, BROWN, C. ASSAULTED THIS LT. RES BROWN, C. BECAME COMBATIVE,

SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

RESIDENT CHARLES BROWN  
PRISON NO. \_\_\_\_\_

CASE NO: 2149, 2150, 2151  
TIME: 1PM  
DATE: 6/13/00

RESULTS OF HEARING:

BOARD: DEP WARDEN BERDANIER  
CHAired: COUNSELOR KRYJAK

RESIDENT AGREES TO HAVING ALL 3  
COMPLAINTS HEARD AT ONE TIME

C/O MENDINSKY:

READ CONDUCT REPORT TO BOARD & RES. BROWN.

KRYJAK:

IS THE REPORT TRUE AS STATED?

RESIDENT PLEADS GUILTY WITHOUT THE COMPLAINTS TO BE READ.

ACKNOWLEDGES RECEIVING COPIES PRIOR TO HEARING.

KRYJAK:

DO YOU HAVE ANYTHING TO SAY?

BROWN:

I NEVER MEANT FOR PATSY OR DEVLIN TO GET HURT. I LET THEM GET  
THE MOP WRINGER. I REMEMBER GRABBING FLANNERY, BUT I DON'T  
REMEMBER PUNCHING HIM.

FINDING: X GUILTY        NOT GUILTY

DISPOSITION:

#2149-GUILTY BY OWN ADMISSION. ADMINISTRATIVE LOCKUP STATUS.  
#2150-GUILTY BY OWN ADMISSION., #13-20 DAYS, #15-20 DAYS, #18-10 DAYS,  
#31-20 DAYS, #33-10 DAYS - TOTAL 80 DAYS CS TO ANY PRESENT SENTENCE.  
#2151-GUILTY BY OWN ADMISSION. #3-20 DAYS, #13-15 DAYS, #33-15 DAYS  
TOTAL 50 DAYS CS TO OTHER SENTENCE CRIMINAL CHARGES PENDING\*

ATTENDED HEARING:        TO REMAIN IN CURRANT HOUSING STATUS. PENDING REVIEW BY PRISON  
ADMINISTRATION.

1. \_\_\_\_\_

3. \_\_\_\_\_

2. D.W. E.H. Berdanier

4. \_\_\_\_\_

E.H. Berdanier  
WARDEN'S SIGNATURE

## SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

CASE NO: 2215CONDUCT COMPLAINTRESIDENT BROWN, CHARLES DATE 8-7-00TIME 9:10 AM

TIME AND DATE

OF HEARING 8-11-00 @ 0930

INCIDENT: On the above date and approx time Res Brown, C was going up the steps to top tier, this C/O informed Res Brown, C that he is not allowed on the top tier. Res Brown, C became very hostile towards this C/O and started to curse obscene language such as, "Fucker, mother fucker etc". C then told Res Brown, C to lock in and he refused stating that there is no fucker going to lock him in.

Misconducts:

18. Refusing to obey an order
31. Insolence or disrespect toward a staff member
33. Violation of administrative directives not specifically enumerated
29. Presence in an unauthorized area - another person's cell, on the wing tier etc.

COMPLAINING OFFICER C/O Nindig

RESIDENT WITNESSES:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

STAFF WITNESSES:

1. C/O Hornung
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_



SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

RESIDENT Brown, Charles  
PRISON NO. \_\_\_\_\_

CASE NO: 2215  
TIME: 12:45  
DATE: 8/11/00

RESULTS OF HEARING:

BOARD: DW BERDANIER, LT UHOLICK  
CHAired: COUNSELOR KURDINSKY

C/O NEIDIG: READ CONDUCT REPORT TO BOARD & RES. BROWN  
KURDINSKY: IS THE REPORT TRUE AS STATED?  
NEIDIG: YES.  
KURDINSKY: HOW DO YOU PLEA?  
BROWN: GUILTY.  
KURDINSKY: DO YOU HAVE ANYTHING TO SAY?  
BROWN: NO.  
KURDINSKY: DOES THE BOARD HAVE ANY QUESTIONS?  
BOARD: NO.

FINDING: X GUILTY        NOT GUILTY

DISPOSITION: GUILTY BY OWN ADMISSION. ADMINISTRATIVE LOCKUP.  
RELEASED TO STATE.

ATTENDED HEARING:

1. D.W. E.H. Berdanier 3. Joseph Kurdinsky  
2. St. Mary's Ch. 4. \_\_\_\_\_

Richard Z. Smith  
WARDEN'S SIGNATURE